

## CHAPTER V

### TRACT SPLITS

#### SECTION 1 - WHEN REQUIRED

A tract is an unplatted parcel of real estate lying situate in Benton County, Arkansas, which is not within the city limits of a municipality and is described by metes and bounds. A tract split shall be deemed to occur when real estate is divided into two (2) parcels for the purpose of transferring title or interest by conveyance deed, sale, or contract. Any such division resulting in tracts or parcels of land aggregating 5.00 acres or more is exempted from this ordinance.

#### SECTION 2 - NOT PART OF EXISTING SUBDIVISION

A tract split shall be deemed to occur only to a division of lands described by a metes and bounds description which is not a part of an existing county subdivision.

#### SECTION 3 - DIVIDED ONLY INTO TWO TRACTS

A tract split shall be deemed to occur when real estate is divided into two (2) tracts or parcels. The division of lands into three or more tracts or parcels shall be deemed to be a subdivision.

#### SECTION 4 - PUBLIC ROADS

Both existing tracts must have access to an existing public road or defined easement.

#### SECTION 5 - SIGNED BY REGISTERED SURVEYOR

The survey plat of a tract split must be signed by a properly license registered Arkansas surveyor.

#### SECTION 6 - AREA OR VICINITY MAP

The plat must contain a small area or vicinity location map of the property to be divided sufficient to identify the general area and location of the tract split.

#### SECTION 7 - RELATION OF SMALLER/LARGER TRACTS SHOWN ON SURVEY

Both tracts must be shown on the same survey or plat instrument. The relationship of the smaller to the larger tract must be shown and each of the two (2) tracts must be clearly identified by separate legal description.

## SECTION 8 - SETBACKS, IMPROVEMENTS, LATERAL LINE FIELDS, WATER WELLS, AND UTILITY EASEMENTS SHOWN

The survey tract or plat must show all applicable setbacks, improvements, lateral line fields, water wells, well houses, easements, and all other matters of record. The plat and both tracts shown therein must additionally show a 25-foot building setback from roadbed right-of-way.

## SECTION 9 - STATEMENT OF NON-ASSURANCE FROM DEPARTMENT OF HEALTH

All tract splits must contain a statement that approval of the plat does not carry any assurances that the tract or tracts will qualify for a septic system permit from the Arkansas Health Department.

## SECTION 10 - ADOPTION OF PROCEDURE

Benton County Planning Board is hereby authorized to adopt through its by-laws or internal regulation a procedure to allow informal approval of qualified tract splits. Formal approval of qualified tract splits will allow summary approval without the requirement of appearance before the Benton County Planning Board.